

PUBLIC SAFETY DEPARTMENT[661]

Adopted and Filed

Rule making related to carbon monoxide alarms

The State Fire Marshal Division hereby amends Chapter 211, “Carbon Monoxide Alarms,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 100.18(5).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 100.18.

Purpose and Summary

The amendments to Chapter 211 implement the changes in nomenclature made by 2020 Iowa Acts, House File 2585, regarding persons who are deaf or hard of hearing. Section 4 of this legislation required owners of rental units to install light-emitting carbon monoxide alarms upon the request of tenants who are deaf or hard of hearing.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 21, 2021, as **ARC 5559C**. A public hearing was held on May 7, 2021. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the State Fire Marshal on May 28, 2021.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Pursuant to the provisions of rule 661—10.222(17A), the Department does not have authority to waive requirements established by statute. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to the provisions of rule 661—10.222(17A).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 21, 2021.

The following rule-making action is adopted:

Amend rule 661—211.20(86GA,SF2219) as follows:

661—211.20(86GA,SF2219) Responsibility for installation and maintenance of carbon monoxide alarms.

211.20(1) and **211.20(2)** No change.

211.20(3) ~~*Hearing-impaired*~~ *Deaf or hard-of-hearing tenant*. An owner of a multiple-unit residential building or a single-family rental unit ~~in which a carbon monoxide alarm is required~~ that has a fuel-fired heater or appliance, a fireplace, or an attached garage, or the owner's agent, shall, upon request of a tenant who has a is deaf or hard of hearing impairment, install light-emitting carbon monoxide alarms.

[Filed 5/28/21, effective 7/21/21]

[Published 6/16/21]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/16/21.